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FILED

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CLERK, US DIST COURT
EASTERN DIST. OF CALIF
AT FRESNO

BY _____
DEPUTY

8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

11 MARIA HERNANDEZ and ROTELIO
HERNANDEZ,

12 Plaintiffs,

13 vs.

14 MITCHELL A. ROBINSON,

15 Defendant.

) CASE NO. 1:05-CV-0115-REC-LJO
) [Lawrence J. O'Neill
) U.S. Magistrate Judge]

) ORDER RE
) STIPULATION TO STAY THE
) MATTER RE POST CONVICTION
) REMEDIES

) COURTROOM: 6 (1st Floor)

17
18 This action is hereby stayed until such time as
19 plaintiffs, Maria Hernandez and Rotelio Hernandez, have either
20 exhausted their post conviction remedies or have failed to
21 continue their timely and diligent pursuit of said remedies.

22 All defenses and all issues with regard to the
23 appropriate venue of this action are preserved to defendant,
24 Mitchell A. Robinson, to be determined when the stay is lifted
25 in this action.

26 The plaintiffs, Maria Hernandez and Rotelio Hernandez,
27 shall provide this Court and counsel for Mitchell A. Robinson
28 reports, every 120 days which set forth the status of the

1 proceedings of the post conviction relief sought by
2 plaintiffs.

3
4 DATED: May 20, 05 — David A. Chapple